

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-2558**

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JOHN NTEHMBO TAZI,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A95-228-978)

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Submitted: July 6, 2005

Decided: August 2, 2005

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Before NIEMEYER, LUTTIG, and TRAXLER, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Ronald D. Richey, LAW OFFICE OF RONALD D. RICHEY, Rockville, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Michelle Gorden, Dennis J. Dimsey, Christopher C. Wang, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

John Ntehmbo Tazi, a native and citizen of Cameroon, petitions for review of an order of the Board of Immigration Appeals ("Board") denying his applications for asylum, withholding from removal and withholding under the Convention Against Torture ("CAT"). We deny the petition for review.

Tazi challenges the immigration judge's determination that he failed to establish eligibility for asylum. To obtain reversal of a determination denying eligibility for relief, an alien must show the evidence presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution. Rusu v. INS, 296 F.3d 316, 325 n.14 (4th Cir. 2002) (quoting Huaman-Cornelio v. Board of Immigration Appeals, 979 F.2d 995, 999 (4th Cir. 1992) (internal quotation marks omitted)). We have reviewed the record and conclude Tazi fails to demonstrate that the evidence compels a contrary result. Accordingly, we cannot grant the relief Tazi seeks. Having failed to qualify for asylum, Tazi cannot meet the higher standard to qualify for withholding of removal. Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999); INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987).

We also uphold the immigration judge's finding that Tazi failed to establish eligibility for protection under the CAT. See 8 C.F.R. § 1208.16(c)(2) (2004).

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED